

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

In re:

John CLEMENTE,

Debtor.

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John CLEMENTE

Appellant,

v.

Linda CLEMENTE and ANSELL, GRIMM &  
AARON, P.C.,

Appellees.

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Civ. No. 12-37

On Appeal From:

08-BK-10812 (MBK)

09-AP-2039 (MBK)

OPINION and ORDER

THOMPSON, U.S.D.J.

IT APPEARING that Appellant John Clemente appeared before the Court at a hearing on an Order to Show Cause why he should not have to pay the Appellees' attorney's fees and costs incurred on this appeal; and

IT APPEARING that Federal Rule of Bankruptcy Procedure 8020 provides that: "If a district court . . . determines that an appeal from an order, judgment, or decree of a bankruptcy judge is frivolous, it may, after a separately filed motion or notice from the district court . . . and reasonable opportunity to respond, award just damages and single or double costs to the appellee"; and

IT APPEARING that Appellant did not show cause why an award of attorney's fees and costs pursuant to Federal Rule of Bankruptcy Procedure 8020 would be inappropriate in this case; and

IT APPEARING that Appellant did not argue that the amount of \$6,106.87 requested by Appellees was unreasonable;

IT IS on this 7<sup>th</sup> day of May, 2012,

ORDERED that Appellant John Clemente shall pay to Appellant Ansell, Grimm & Aaron, P.C. the amount of \$6,106.87, which represents attorney's fees and costs incurred while defending against this appeal.

/s/ Anne E. Thompson  
ANNE E. THOMPSON, U.S.D.J.